

Atty. Dkt. No. 040356-0591

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Atsushi OHMA

Title: FUEL CELL STACK

Appl. No.: 10/582,222

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371(c) Date: 06/08/06

Examiner: Stephen J. Yanchuk

Art Unit: 1795

Confirmation Number:

3852

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

/Stephen Yanchuk/

11/08/2010

**TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(d), after the mailing of a final office action but before receipt of a notice of allowance.

**RELEVANCE OF EACH DOCUMENT**

In a counterpart Japanese application, an Office Action dated June 8, 2010, was received by Applicants. The Japanese Patent Office made certain characterizations of the references. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the Japanese Office Action. A copy of the Japanese Office Action with partial translation is attached herewith. The additional documents cited in the Office Action were previously submitted in an Information Disclosure Statement. Therefore, these documents are not being submitted herewith.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a “concise explanation of relevance” for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

11/08/2010

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**STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

**FEE**

A credit card payment form in the amount of \$180.00 is enclosed to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 2, 2010

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11/08/2010